

1 BILL NO. G-92-05-27 (as amended)

2 GENERAL ORDINANCE NO. G-35-92

3 AN ORDINANCE AMENDING CHAPTER 24, "SEWERS  
4 AND SEWERAGE SYSTEM," OF THE CITY OF FORT  
5 WAYNE CODE OF LAWS, (GENERAL ORDINANCE  
6 NO. 5-25-91.)

7 WHEREAS, I.C. 36-9-23-25 provides that rates charged  
8 the users of the Fort Wayne Water Pollution Control Utility  
9 for sewage services shall be established by the Common Council  
10 of the City of Fort Wayne; and

11 WHEREAS, the Common Council of the City of Fort  
12 Wayne has heretofore enacted a User Charge System and a Sewer  
13 Use Ordinance as contained in Chapter 24 of the Fort Wayne  
14 Municipal Code; and,

15 WHEREAS, Chapter 24 of the Fort Wayne Municipal Code  
16 calls for an annual review of the Water Pollution Control  
17 Utility's current service charges and surcharges by the Board  
18 of Public Works; and,

19 WHEREAS, the City of Fort Wayne engaged the services  
20 of Municipal Consultants to review the current financial  
21 position of the Water Pollution Control Utility; and,

22 WHEREAS, Municipal Consultants has prepared and  
23 submitted to the City of Fort Wayne the results of the above-  
24 mentioned review and has made recommendations therein  
25 regarding adjustments to the current Water Pollution Control  
26 Utility rates and charges, said report being dated May 14,  
27 1992; and

28 WHEREAS, upon review of said report and  
29 recommendations, the Common Council of the City of Fort Wayne,  
30 in accordance with I.C. 36-9-23-25, as amended, now finds that  
31 existing rates and charges for the use of and services  
32 rendered by the Water Pollution Control Utility do not provide  
sufficient revenue to:

- (a) Pay all expenses incidental to the operation of the  
works, including legal expenses, maintenance costs,  
operating charges, repairs, lease rentals, and  
interest charges on bonds or other obligations;

- (b) Provide the sinking fund required by section 21 [I.C. 36-9-23-21] of this chapter;
  - (c) Provide adequate money to be used as working capital;
  - (d) Provide adequate money for improving and replacing the works;
  - (e) Provide the amount of money sufficient to compensate the municipality for the property taxes that would be paid on the sewage works if the sewage works were privately owned; and

WHEREAS, in accordance with I.C. 8-1.5-3-8, as amended, the Common Council finds and elects that rates and charges for sewage service to be paid by users of the system shall be sufficient to include a reasonable return on the Water Pollution Control Plant of the City; and

WHEREAS, Permitted levels of fat, oils and greases, (FOG) to be discharged by commercial food retailing establishments (restaurants) to the sewerage system as provided in the City of Fort Wayne Code of Laws Chapter 24, Article III, Section 24-16(b), is currently less than 100 milligrams per liter, and the WPC Utility management has determined that a large percentage of restaurants are unable to meet this FOG limit and that the average cost for treating the extra-strength waste of these customers is 34.26 cents per one hundred cubic feet; and

**WHEREAS**, the Board of Works, pursuant to §24-2 of the City of Fort Wayne Code of Laws and I.C. 36-9-23-3 and I.C. 36-9-23-7 is required to enact rules and regulations for the use and operation of the sewage works, and thus control the quality and quantity of effluent discharged to the sewerage system in order to maintain the integrity of the Water Pollution Control Utility.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Articles I, III, IV, VI and VII of  
Chapter 24 of the City of Fort Wayne Code of Laws be amended  
as follows:

## CHAPTER 24

### SEWERS AND SEWERAGE SYSTEM

## ARTICLE I

Section 1. of Article I of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

### **Sec. 24-1. Definitions.**

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the Rules and Regulations adopted by the Board of Public Works implementing the provisions of this Chapter for the Fort Wayne sewerage system are as set out below respectively:

- a) "ACT:" the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at I.C. 13-1-4-1.
  - b) "APPLICABLE PRETREATMENT STANDARDS" - any pretreatment limit or prohibitive standard (Federal, State and/or Local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.
  - c) "BIOCHEMICAL OXYGEN DEMAND (BOD)" - the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 24-1.(rr) below).
  - d) "BUILDING (OR HOUSE) DRAIN:" that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.
    - 1. "COMBINED:" a building drain which conveys both sewage and storm water or other drainage.
    - 2. "SANITARY:" a building drain which conveys sewage only.
    - 3. "STORM:" a building drain which conveys storm water or other drainage, but not sewage.
  - e) "BUILDING (OR HOUSE) DRAIN CONNECTION:" the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.
  - f) "BUILDING (OR HOUSE) SEWER" - that part of the drainage system which extends from the end of the building drain and conveys its discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.

1.     **"COMBINED:"** a building sewer which conveys both sewage and storm water or other drainage.
  2.     **"SANITARY:"** a building sewer which conveys sewage only.
  3.     **"STORM:"** a building sewer which conveys storm water or other drainage, but not sewage.
4.     g)     **"BUILDING (OR HOUSE) SEWER CONNECTION"** - the point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:
7.     1. Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.
  10.    2. Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.
13.    h)     **"CATEGORICAL INDUSTRY"** - an industry whose effluent is regulated by 40 CFR 403.6.
14.    i)     **"CATEGORICAL PRETREATMENT STANDARD OR NATIONAL STANDARD"** - any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N Part 405-471.
18.    j)     **"CHEMICAL OXYGEN DEMAND (COD)"** - a measure of oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods." (see paragraph 24-1.(rr) below).
22.    k)     **"CITY"** - the City of Fort Wayne, Indiana.
23.    l)     **"CLASSIFICATION OF USERS"**
24.    1.     **"RESIDENTIAL USERS"** shall include any user of the City's treatment works whose lot, parcel or real estate or building is used for domestic dwelling purposes only.
  26.    2.     **"COMMERCIAL USER"** shall include all retail stores, restaurants, office buildings, laundries and other private business and service establishments, including those identified in the Standard Industrial Classification Manual, 1972, Office of management and Budget Division I - Services.
  30.    3.     **"INDUSTRIAL USER"** shall include any user of the City's treatment works which is identified in the Standard Industrial Classification manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A-Agriculture, Forestry and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary.

"Industrial Users" shall be classified as follows:

- 1           a. "NON-DISCHARGE USERS" shall include all  
2           industries which discharge sanitary sewage  
3           only, and industrial users whose discharge is  
4           limited to non-contact cooling water, or  
5           boiler blowdown water.
- 6           b. "NON-MAJOR INDUSTRIAL USER" shall include all  
7           industries which discharge process water but  
8           do not meet the criteria of "Significant  
9           Industrial Users."
- 10          c. "SIGNIFICANT INDUSTRIAL USERS" shall include  
11         all industries comprised of categorical and  
12         non-categorical industries and shall further  
13         be defined as set out at 40 CFR 403.3(t).
- 14          d. "INSTITUTIONAL USER" shall include social,  
15         charitable, religious and educational activities  
16         such as schools, churches, hospitals, nursing  
17         homes, penal institutions and similar institutional  
18         users.
- 19          e. "GOVERNMENTAL USER" shall include legislative,  
20         judicial, administrative and regulatory activities  
21         of Federal, State and Local governments.

- 22         m) "COMPOSITE SAMPLE" - the sample resulting from the  
23         combination of individual wastewater samples taken at  
24         selected intervals based on an increment of either flow  
25         or time. Time intervals between discrete samples not to  
26         exceed 2 hours.
- 27         n) "DWELLING:" a building, or portion thereof, under one  
28         roof used primarily as the abode of one or more persons,  
29         but not including hotels, motels, lodging or boarding  
30         houses or tourist homes.
- 31         o) "EFFLUENT" - the water, together with any wastes that may  
32         be present, flowing out of a drain, sewer receptacle or  
33         outlet.
- 34         p) "EMERGENCY" - an unforeseen circumstance or combination  
35         of circumstances that may cause an imminent endangerment  
36         to the health and/or welfare of persons, the environment,  
37         or which may interfere with the operation of the sewer  
38         collection system or the Water Pollution Control Plant.
- 39         q) "GARBAGE" - any solid wastes from the preparation,  
40         cooking or dispensing of food or from the handling,  
41         storage or sale of produce.
- 42         r) "GRAB SAMPLE" - is defined as an individual discrete  
43         sample collected over a period of time not to exceed 15  
44         minutes.
- 45         s) "GROUND GARBAGE" - garbage that is shredded to such a  
46         degree that all particles will be carried freely in  
47         suspension under the conditions normally prevailing in  
48         public sewers, with no particle being greater than one-  
49         half (1/2) inch in any dimension.
- 50         t) "INDIRECT DISCHARGE" - the introduction of pollutants  
51         into the sewerage system from any nondomestic source  
52         regulated under Section 307(b), (c) or (d) of the Act.
- 53         u) "INDUSTRIAL WASTES" - any solid, liquid or gaseous  
54         substance or form of energy discharged, permitted to flow

1 or escape, or transported from an industrial,  
2 manufacturing, commercial or business operation or  
3 process or from the development, recovery or processing  
4 of any natural resource carried on by any person.

5 v) "INFLUENT" - the water, together with any wastes that may  
6 be present, flowing into a drain, sewer, receptacle or  
7 outlet.

8 w) "NORMAL DOMESTIC SEWAGE" - sewage having an average daily  
9 suspended solids concentration of not more than 300  
10 milligrams per liter, an average daily BOD concentration  
11 of not more than 300 milligrams per liter, an average  
12 daily COD concentration of not more than 600 milligrams  
13 per liter, an average daily phosphorus concentration of  
14 not more than 10 milligrams per liter, and an average  
15 daily ammonia concentration of not more than 25  
milligrams per liter.

16 x) "NPDES PERMIT" - the National Pollutant Discharge  
17 Elimination System Permit issued by the Indiana  
18 Department of Environmental Management for discharges of  
19 waste waters to navigable waters of the United States  
20 pursuant to Section 402 of 33 U.S.C. 466.

21 y) "OPERATION AND MAINTENANCE COSTS" - all costs direct and  
22 indirect, other than debt services including replacement  
23 costs as defined in paragraph 24.1.(ff), necessary to  
24 insure adequate wastewater treatment on a continuing  
25 basis conforming with federal, state or local  
26 requirements and to insure long-term facilities  
management.

27 z) "OUTLET" - any outlet, natural or constructed, which is  
28 the point of final discharge of sewage or of treatment  
29 plant effluent into any watercourse, pond, ditch, lake or  
other body of surface or ground water.

30 aa) "PERSON" - any individual, owner, discharger, lessee,  
31 occupant, firm, partnership, company, municipal or  
32 private corporation, commercial establishment,  
association, society, institution, enterprise,  
governmental agency or other legal unit or entity.

bb) "pH" - an expression of the intensity of the base or  
acidic conditions of a liquid.

cc) "POLLUTANTS" -

1. "COMPATIBLE POLLUTANTS" - waste containing  
biochemical oxygen demand, chemical oxygen demand,  
suspended solids, phosphorus, pH and fecal coliform  
bacteria and ammonia ( $NH_3$ ).

2. "INCOMPATIBLE POLLUTANTS" - wastes with any  
pollutant that is not a compatible pollutant which  
is regulated by the NPDES permit or that would  
cause damage to the sewage system and/or treatment  
plant.

dd) "RECEIVING STREAM" - the watercourse, stream or body of  
water receiving the waters finally discharged from the  
sewage treatment plant.

ee) "REPLACEMENT COSTS" - that cost, stated in current  
monetary values, as an operating cost which represents  
and measures the expenditures required to replace  
equipment, accessories or appurtenances of the property  
in order to maintain capacity and performance during the

useful life of the property of the Water Pollution Control Utility.

- 1           ff)   **"REPLACEMENT FUND"** - a fund maintained to provide  
2           resources to pay for replacement expenditures annually as  
3           required to maintain the capacity and performance of the  
4           property of the Sewage Works.
- 4           gg)   **"SANITARY SEWAGE"** - sewage discharged from the sanitary  
5           conveniences of dwellings, apartment houses,  
6           condominiums, motels, hotels, lodging or boarding houses,  
7           office buildings, factories or institutions, and free  
8           from storm water, surface water, groundwater and  
9           industrial wastes.
- 7           hh)   **"SERVICE CHARGE"** - a charge levied on a user of the  
8           treatment works which includes the user charge, a charge  
9           for local capital costs, and may include other charges  
10          for current services.
- 10          ii)   **"SEWAGE"** - the water-carried wastes from residences,  
11          business buildings, institutions and industrial  
12          establishments, singularly or in any combination,  
13          together with such ground, surface and storm waters as  
14          may be present.
- 13          jj)   **"SEWAGE TREATMENT PLANT"** - **"WATER POLLUTION CONTROL**  
14          **PLANT"** - the arrangement of devices, structures and  
15          equipment used for treating and disposing of sewage and  
16          sludge.
- 15          kk)   **"SEWAGE WORKS" OR "WATER POLLUTION CONTROL UTILITY"** - all  
16          facilities and systems for collecting, transporting,  
17          pumping, treating, disposing of sewage and sludge,  
18          including the sewage treatment plant and the sanitary,  
19          storm and combination sewer collection systems whether or  
20          not in active use.
- 20          ll)   **"SEWER"** - a pipe or conduit for carrying sewage and other  
21          waste liquids as differentiated below:
  - 22           1.   **"COMBINED OR COMBINATION SEWER"** - a sewer which  
23           carries storm, surface and groundwater runoff as  
24           well as sewage.
  - 25           2.   **"PUBLIC SEWER"** - a sewer to the use of which all  
26           owners of abutting property have equal rights and  
27           is controlled and maintained by the City or other  
28           public authority.
  - 29           3.   **"SANITARY SEWER"** - a sewer which carries domestic  
30           and unpolluted industrial sanitary sewage and to  
31           which storm, surface, groundwaters and unpolluted  
32           industrial waste waters are not intentionally  
             admitted.
  - 33           4.   **"STORM SEWER"** - a sewer which carries storm,  
34           surface and groundwater drainage but excludes  
35           sanitary sewage.
- 36          mm)   **"SEWER ENGINEER"** - the Chief Sewer Engineer of the City  
37          or his duly authorized representative; the term is  
38          synonymous with the term **"Water Pollution Control**  
39          **Engineer."**
- 40          nn)   **"SEWERAGE SYSTEM"** - the network of sewers and  
41          appurtenances used for collecting, transporting and  
42          pumping sewage to the Sewage Treatment Plant.
- 43          oo)   **"SHALL"** - means mandatory; **"may"** means permissible.

- 1 pp) "SLUGLOAD" - any discharge at a flow rate or  
2 concentration which could cause a violation of the  
3 prohibited discharge limits set in the Rules and  
4 Regulations Section 6.
- 5 qq) "STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE" - a  
6 classification pursuant to the Standard Industrial  
7 Classification Manual used by the U.S. Office of  
8 Management & Budget.
- 9 rr) "STANDARD METHODS" - the examination and analytical  
10 procedures set forth in the most recent edition of  
11 "Standard Methods for the Examination of Water and  
12 Wastewater," published jointly by the American Water  
13 Works Association and the Water Pollution Control  
14 Federation, a copy of which is on file in the Office of  
15 the Superintendent.
- 16 ss) "STRENGTH-OF-WASTE SURCHARGE" - the additional charges  
17 for sewage service collected from users discharging  
18 sewage into the system having a strength measurement in  
19 excess of the limits imposed by the provisions of this  
20 Chapter.
- 21 tt) "SUPERINTENDENT" - the Superintendent of the Sewage  
22 Treatment Plant (Water Pollution Control Plant) of the  
23 City, or his duly authorized representative.
- 24 uu) "SUSPENDED SOLIDS" - solids which either float on the  
25 surface of or are in suspension in water, sewage or other  
liquid and which are removable by laboratory filtration.  
Their concentration is expressed in milligrams per liter.  
Quantitative determinations are made in accordance with  
procedures set forth in "Standard Methods."
- 26 vv) "TOXIC POLLUTANT" - one of 126 pollutants, or  
27 combinations of those pollutants, listed as toxic in  
28 regulations promulgated by the EPA under the provisions  
29 of Section 307 (33 USC 1317) of the Act.
- 30 ww) "USER CHARGE" - a charge imposed on users of a treatment  
31 works to defray the cost of operation, maintenance and  
32 replacement.
- 33 xx) "WASTE SURVEILLANCE CHARGE" - a monthly charge collected  
34 from users, qualifying as industrial or commercial class  
35 users, to defray the cost of evaluating that user's waste  
36 by metering, sampling, laboratory analysis and/or other  
37 methods deemed necessary. Said charges are set forth in  
38 Article VII and are subject to review annually as  
39 provided in Section 24-41.
- 40 yy) "WATERCOURSE" - a channel in which the flow of water  
41 occurs either continuously or intermittently.

42 Section 2. of Article I of Chapter 24 of the City of Fort  
43 Wayne Code of Laws be amended as follows:

44 Sec. 24-2. Rules and Regulations-Board of Works Authority.

45 The Board of Public works of the City shall, in accordance  
46 with the Statutes of the State of Indiana, and subject to the  
47 provisions and requirements of this Chapter, make and enforce  
48 appropriate rules and regulations for the safe, economical and  
49 efficient management and operation of the City's Sewage Works,  
50 for the construction and use of sewers, building sewers,  
51 appurtenances and connections to the sewerage system; for the

regulation, collection and refunding of rates and charges for sewerage service; and for the implementation and enforcement of the provisions of this Chapter.

Section 6. of Article I of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-6. Enforcement.**

Those provisions of this Chapter not specifically dealt with elsewhere shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge any person with a violation(s) of this Chapter, he shall issue to such person a Notice of Violation and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1) and sewer rules and regulations, or pursuant to an ordinance adopted in accordance with I.C. § 36-1-6-9.

**ARTICLE III**

Sub Paragraph (b) of Section 16. of Article III of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-16. Prohibitions and Limitations.**

b) Any waters or wastes containing more than 100 milligrams per liter of petroleum or mineral based grease, oils, fats or waxes. Acceptable limits for animal-vegetable based and/or homogenized fats, oils and grease shall be determined by the Board of Public Works and set out in the Sewer Utility Rules and Regulations. Said maximum limits shall be calculated and set at an amount shown not to cause interference or obstruction in the collection system and/or sewerage works, and shall be re-evaluated and adjusted as necessary to protect the integrity of the sewer utility.

**ARTICLE IV.**

Sub paragraph (a) of Section 23 of Article IV of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-23. Waste Analysis Procedures and Charges.**

a) CHARGES TO USERS - alternate methods for certain analyses of commercial, industrial or institutional establishments may be used subject to mutual agreement between the Superintendent and the user. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes. When surveillance sampling is conducted by the City, a split shall be made available for analysis by user upon request. In the event of a dispute between the Superintendent and the user as to the characteristics, strength, toxic nature or other

particulars of the sample taken and analyzed by the City, the dispute shall be resolved consistent with approved USEPA or IDEM guidance documents and methodology, the specific procedures for which shall be set out in the Rules and Regulations of the WPC Utility. Analyses made by the City at the request of the user shall be charged to the user according to the Sewage Works' standard work order billing procedure.

## ARTICLE VI

Sections 30 through 35 of Article VI of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

### Sec. 24-30. Residential User Charges.

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

#### Service Charge (Cents per 100 cu. ft.)

Treatment	5 6 . 0 6
Conveyance, Collection, Billing	30.33
Capital	16.38

Total User Charge 102.77

#### User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

#### User Flat Charges

In the event that any user in this classification is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	
	<u>In City</u>	<u>Out-City</u>
Residential User-Single Family Dwelling	\$10.28	\$12.30
Residential User-Multi Family Dwelling	To be estimated by city	

- a) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such

determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Inbalco Capital Surcharge - per month \$4.65

Sec. 24-31. Industrial User Charges.

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

<u>Service Charge (Cents per 100 cu. ft.)</u>	
Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38

Total User Charge 102.77

User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

Other Industrial User Charges

1) Monthly billing charge - per bill \$3.15

2) Excess Strength of Wastes Surcharge - in the event an industrial user contributes waste having strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	<u>Cents Per Pound</u>
Suspended Solids - (SS)	6.12
Biochemical Oxygen Demand - (BOD)	6.79
Phosphorus - (P)	55.14
Ammonia - (NH-3)	16.73

User Flat Charges

In the even any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the City.

1                   **Sec. 24-32.      Commercial User Charges**

2                   Charges for services rendered shall be based on metered water  
3                   consumption unless otherwise measured in accordance with the  
4                   following charges for this classification of service:

5                   **Service Charge (Cents per 100 cu. ft.)**

Treatment	56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	<u>102.77</u>

6                   **User Minimum Charges and Other Fixed Payments**

7                   In the event the monthly sewage Service Charge calculated in  
8                   accordance with the schedule above does not exceed the minimum  
9                   monthly charge for each class of user as set forth hereafter,  
10                  user shall pay said minimum monthly charge, in lieu of the  
charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

11                  **User Flat Charges**

12                  In the event any user in this classification is not a metered  
13                  water customer, there shall be imposed a flat charge rate  
14                  estimated by the City.

15                  **Inbalco Capital Surcharge - per month**      \$4.65

16                  **Other Commercial User Charges**

17                  In the event any user under this classification contributes  
18                  waste having a strength of sewage in excess of domestic waste  
19                  characteristics as hereinbefore defined, such user will be  
20                  charged for surveillance and surcharges as set forth elsewhere  
21                  herein for Industrial Users, except as set out in the  
22                  following paragraph.

23                  **Restaurants**

24                  Commercial users primarily engaged in the business of  
25                  preparing and selling cooked food items and beverages shall  
26                  pay an extra-strength surcharge of 34.26 cents per one hundred  
27                  cubic feet in lieu of those scheduled surcharges otherwise set  
28                  forth herein. For the purposes of this Chapter, a user  
29                  qualified to hold a supplemental retailer's permit under  
30                  Indiana Code 7.1-3-16.5-2(a) or (b) shall be presumed to fall  
within this category.

31                  **Sec. 24-33.      Institutional User Charges.**

32                  Charges for services rendered shall be based on metered water  
consumption unless otherwise measured in accordance with the  
following charges for this classification of service:

Service Charge (Cents per 100 cu. ft.)

1	Treatment	\$ 56.06
2	Conveyance, Collection, Billing	30.33
	Capital	16.38
3	Total User Charge	<u>102.77</u>

User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

	<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
9	5/8 - 3/4"	\$ 4.96
10	1 - 1 1/2"	17.52
11	2"	36.23
12	3"	72.86
	4"	121.12
	6" or larger	336.28

Other Institutional User Charges

In the event any user under this classification contributes waste having a strength of sewage in excess of domestic waste characteristics as hereinbefore defined, such user will be charged for surveillance and surcharges as set forth elsewhere herein for Industrial Users.

User Flat Charges

In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the City.

Inbalco Capital Surcharge - per month \$4.65

Sec. 24-34. Governmental User Charges.

Charges for serviced rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

Service Charge (Cents per 100 cu. ft.)

Treatment	\$ 56.06
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	<u>102.77</u>

User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

	<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
1	5/8 - 3/4"	\$ 4.96
	1 - 1 1/2"	17.52
2	2"	36.23
	3"	72.86
3	4"	121.12
	6" or larger	336.28
4		
5		

Other Governmental User Charges

In the event any user under this classification contributes waste having a strength of sewage in excess of domestic waste characteristics as hereinbefore defined, such user will be charged for surveillance and surcharges as set forth elsewhere herein for Industrial Users.

User Flat Charges

In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the City.

Inbalco Capital Surcharge - per month \$4.65

Sec. 24-35. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

a) Volume Charge (cents per 100 cu. ft.).

Treatment	56.06
Capital Charge	.34
	56.40

b) Variable Charge (cents per 100 cu. ft.).

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume surcharge.

c) Flat Charge.

In addition to the foregoing charge based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$3.15 and a monthly surveillance charge of \$146.65.

d) Excess Strength of Waste Surcharge.

In the event an institutional user contributes waste having a toxic strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

Cents Per Pound

Suspended Solids - (SS)	6.12
Biochemical Oxygen Demand - (BOD)	6.79
Phosphorus - (P)	55.14
Ammonia - (NH-3)	16.73

e) Capital Surcharge.

In the event a contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

f) Other Provisions.

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1), Public Law 92-500 as amended and supplemented, and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2 and 35-935-13.

## ARTICLE VII

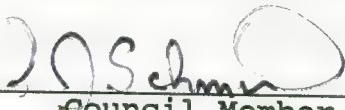
Section 40. of Article VII of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-40. Waste Evaluation Charges.**

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$146.65 per discharge point. In the event any user is not in compliance with effluent discharge limitations, as set forth elsewhere herein, and such non-compliance requires additional surveillance, sampling and waste evaluation, the user will be charged \$146.65 per occurrence.

However, Commercial Users primarily engaged in the business of preparing and selling cooked food items and beverages as derived in section 24-32 shall be subject to waste evaluations and/or surveillance sampling at least semi-annually, the cost for which shall be billed to said user.

1 SECTION 2. That this Ordinance shall be in full force and  
2 effect from and after its passage, and any and all necessary  
3 approval by the Mayor and due legal publication thereof.

4   
5 Council Member

6 APPROVED AS TO FORM  
7 AND LEGALITY

8   
9 J. TIMOTHY McCAULAY, CITY ATTORNEY

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CITY OF FORT WAYNE, INDIANA

Proposed Rate Increase  
May 14, 1992

FACT SHEET

**1. Additional Revenue Requirements**

Revenues - At Proposed Rates	\$ 15,854,160
Less: Revenues for 1991	<u>11,763,921</u>
Additional Revenues at Proposed Rates	<u>\$ 4,090,239</u>
Percent Increase	<u>36.7%</u>

**2. Components of Increase:**

Fund anticipated cost increases	\$ 418,925
Provide for Inflation	557,396
Increase in Contribution in Lieu of Taxes	477,109
Restore financial strength of Utility	1,340,115
Fund EPA/IDEM and other Requirements	1,075,000
Fund Capital Improvements Plan	<u>1,277,147</u>
Total	5,145,692
Less: Funds provided by industrial and commercial rate increases, stormwater service and current rates	<u>1,055,453</u>
Amount of Increase	<u>\$ 4,090,239</u>

**3. Impact of Increase on Residential Users**

<u>Type of User</u>	<u>Bill</u>	<u>Monthly Increase</u>
Minimum User (5 CCF)	\$ 5.14	\$1.51
Average User (9 CCF)	\$ 9.25	\$2.48
Flat Charge User (10 CCF)	\$10.28	\$2.76

Read the first time in full and on motion by Selma,  
and duly adopted, read the second time by title and referred to the  
Committee on Committee of the Whole (and the City Plan Commission  
for recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City-County Building, Fort  
Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
M., E.S.T.

DATED: 5-26-92

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Selma,  
and duly adopted, placed on its passage. PASSED ~~AMM~~  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>	<u>0</u>		
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 7-14-92

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. J-35-92  
on the 14th day of July, 1992

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 15th day of July, 1992,  
at the hour of 11:00 o'clock A.M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of July,  
1992, at the hour of 1:30 o'clock P.M., E.S.T.

PAUL HELMKE, MAYOR

BILL NO. G-92-05-27

As Amended

REPORT OF THE COMMITTEE ON  
THE COMMITTEE OF THE WHOLE

DONALD J. SCHMIDT, CHAIR  
CLETUS R. EDMONDS, VICE CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON THE COMMITTEE OF THE WHOLE TO WHOM WAS REFERRED AN (ORDINANCE) (RESOLUTION) amending Chapter 24, "Sewers and Sewerage System," of the City of Fort Wayne Code of Laws" (General Ordinance No. 5-25-91)

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HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (RESOLUTION)

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DO PASS

DO NOT PASS

ABSTAIN

NO REC

Cletus R Edmonds

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John J. Heney

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Mark J. Giugni

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Samuel J. Talarico

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David Colson

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DATED: 7-14-92.

Sandra E. Kennedy  
City Clerk

Sec. 24-23. Waste Analysis Procedures and Charges.

- a) CHARGES TO USERS - alternate methods for certain analyses of commercial, industrial or institutional establishments may be used subject to mutual agreement between the Superintendent and the user. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes. When surveillance sampling is conducted by the City, a split shall be made available for analysis by user upon request. In the event of a dispute between the Superintendent and the user as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, the dispute shall be resolved consistent with approved USEPA or IDEM guidance documents and methodology, the specific procedures for which shall be set out in the Rules and Regulations of the WPC Utility. Analyses made by the City at the request to the user shall be charged to the user according to the Sewage Works' standard work order billing procedure.

1. **"COMBINED:"** a building sewer which conveys both sewage and storm water or other drainage.
  2. **"SANITARY:"** a building sewer which conveys sewage only.
  3. **"STORM:"** a building sewer which conveys storm water or other drainage, but not sewage.
- 4 g) **"BUILDING (OR HOUSE) SEWER CONNECTION"** - the point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:
1. Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.
  2. Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.
- 10 h) **"CATEGORICAL INDUSTRY"** - an industry whose effluent is regulated by 40 CFR 403.6.
- 11 i) **"CATEGORICAL PRETREATMENT STANDARD OR NATIONAL STANDARD"** - any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N Part 405-471.
- 12 j) **"CHEMICAL OXYGEN DEMAND (COD)"** - a measure of oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods." (see paragraph 24-1.(rr) below).
- 13 k) **"CITY"** - the City of Fort Wayne, Indiana.
- 14 l) **"CLASSIFICATION OF USERS"**
1. **"RESIDENTIAL USERS"** shall include any user of the City's treatment works whose lot, parcel or real estate or building is used for domestic dwelling purposes only.
  2. **"COMMERCIAL USER"** shall include all retail stores, restaurants, office buildings, laundries and other private business and service establishments, including those identified in the Standard Industrial Classification Manual, 1972, Office of management and Budget Division I - Services.
  3. **"INDUSTRIAL USER"** shall include any <sup>user</sup> of the City's treatment works which is identified in the Standard Industrial Classification manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A-Agriculture, Forestry and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary.

regulation, collection and refunding of rates and charges for sewerage service; and for the implementation and enforcement of the provisions of this Chapter.

Section 6. of Article I of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-6. Enforcement.**

Those provisions of this Chapter not specifically dealt with elsewhere shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge any person with a violation(s) of this Chapter, he shall issue to such person a Notice of Violation and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1) and sewer rules and regulations, or pursuant to an ordinance adopted in accordance with I.C. § 36-1-6-9.

**ARTICLE III**

Sub Paragraph (b) of Section 16. of Article III of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-16. Prohibitions and Limitations.**

- b) Any waters or wastes containing more than 100 milligrams per liter of petroleum or mineral based grease, oils, fats or waxes. Acceptable limits for animal-vegetable based and/or homogenized fats, oils and grease shall be determined by the Board of Public Works and set out in the Sewer Utility Rules and Regulations. Said maximum limits shall be calculated and set at an amount shown not to cause interference or obstruction in the collection system and/or sewerage works, and shall be re-evaluated and adjusted as necessary to protect the integrity of the sewer utility.

**ARTICLE IV.**

Sub paragraph (a) of Section 23 of Article IV of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

**Sec. 24-23. Waste Analysis Procedures and Charges.**

- a) CHARGES TO USERS - alternate methods for certain analyses of commercial, industrial or institutional establishments may be used subject to mutual agreement between the Superintendent and the user. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes. In the event of a dispute between the Superintendent and the user as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, either party may request that the sample in dispute be

analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the analysis. Such third party analysis may be used, at the option of the user, to supplement that of the City but shall not replace the City's test results. Analyses made by the City at the request of the user shall be charged to the user according to the Sewage Works' standard work order billing procedure.

## ARTICLE VI

Sections 30 through 35 of Article VI of Chapter 24 of the City of Fort Wayne Code of Laws be amended as follows:

### Sec. 24-30. Residential User Charges.

Charges for services rendered shall be based on metered water consumption unless otherwise measured in accordance with the following charges for this classification of service:

#### Service Charge (Cents per 100 cu. ft.)

Treatment	5 6 . 0 6
Conveyance, Collection, Billing	30.33
Capital	16.38
Total User Charge	<u>102.77</u>

#### User Minimum Charges and Other Fixed Payments

In the event the monthly sewage Service Charge calculated in accordance with the schedule above does not exceed the minimum monthly charge for each class of user as set forth hereafter, user shall pay said minimum monthly charge, in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 4.96
1 - 1 1/2"	17.52
2"	36.23
3"	72.86
4"	121.12
6" or larger	336.28

#### User Flat Charges

In the event that any user in this classification is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	<u>In City</u>	<u>Out-City</u>
Residential User-Single Family Dwelling	\$10.28	\$12.30	
Residential User-Multi Family Dwelling	To be estimated by City		

- a) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such

NOTICE OF HEARING  
ON PROPOSED INCREASE OF SEWER AND  
SEWERAGE UTILITY RATES AND CHARGES

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on May 26, 1992, the Common Council introduced Bill No. G-92-05-27 proposing to amend ~~and add~~ Chapter 24 of the Municipal Code. The proposed Ordinance adds several terms to the definitions of Sections of Chapter 24, ~~and adds~~ amends the permitted levels of fat, oils and greases to be discharged into the sewerage system by restaurants and concurrently provides for an extra-strength surcharge. Adjusted rates are projected to provide sufficient revenues ~~for operation of the utility as provided in I.C. 36-9-23-25.~~ ~~The proposed Ordinance provides for an increase of the sewer utility rates and charges as outlined as listed: in the City of Fort Wayne.~~

At a meeting of the Common Council to be held at 7:00 P.M. (Fort Wayne Time) on June 23, 1992, in Room 126 of the City-County Building, there will be a public hearing on the above described amendments. The Council, after consideration of information presented at said hearing and deliberation on the issue may adopt or modify and adopt, the proposed rate structure and related amendments to Chapter 24 of the Municipal Code. A complete copy of Bill No. G-92-05-27 is available for public inspection in the Office of the City Clerk, Room 122 of the City-County Building.

Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

DIGEST SHEET

OK

(as amended)

11-92-05-27

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE CONTROLLER'S OFFICE

SYNOPSIS OF ORDINANCE PROVIDES FOR AN INCREASE OF THE SEWER  
UTILITY RATES AND CHARGES AS OUTLINED ON ATTACHED SHEET. ADDS  
SEVERAL TERMS TO THE DEFINITION SECTION OF CHAPTER 24. AMENDS THE  
PERMITTED LEVELS OF FAT, OILS AND GREASES TO BE DISCHARGED INTO THE  
SEWERAGE SYSTEM BY RESTAURANTS AND CONCURRENTLY PROVIDES FOR AN  
EXTRA-STRENGTH SURCHARGE. ADJUSTED RATES ARE PROJECTED TO PROVIDE  
SUFFICIENT REVENUES FOR OPERATION OF THE UTILITY AS PROVIDED IN  
I.C. 36-9-23-25.

EFFECT OF PASSAGE SANITARY SEWER RATES AND CHARGES WILL BE  
ADJUSTED UPWARD.

EFFECT OF NON-PASSAGE SANITARY SEWER RATES WILL REMAIN AS  
CURRENTLY PROVIDED FOR IN CHAPTER 24 OF MUNICIPAL CODE.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) ESTIMATED  
ADDITIONAL ANNUAL REVENUE OF APPROXIMATELY \$4,090,000.

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

# **Municipal Consultants**

**CITY OF FORT WAYNE**  
Water Pollution Control Utility

Report on  
Sewer User Fee Increase

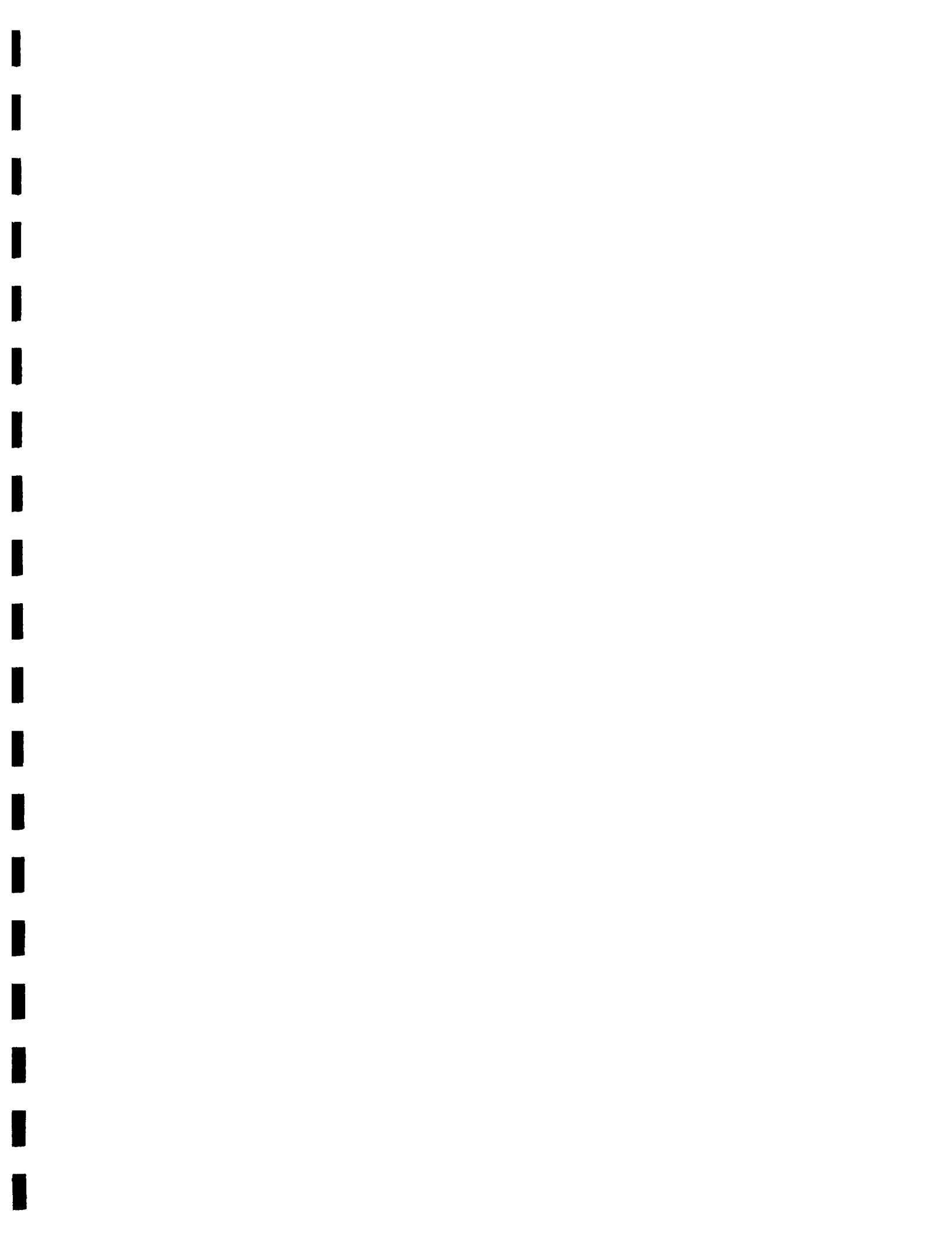
May 14, 1992

**Municipal  
Consultants**

2100 Market Tower  
10 West Market Street  
Indianapolis, Indiana 46204-2976  
(317) 269-6680  
Fax (317) 635-6127

In Partnership with

CROWE CHIZEK



May 14, 1992

Hon. Paul Helmke  
Mayor of Fort Wayne  
City-County Building  
Fort Wayne, Indiana

Dear Mayor Helmke:

Presented herewith is a Report on a Sewer User Fee Increase for the City of Fort Wayne Water Pollution Control Utility (the "WPC Utility") to be presented to the Common Council of the City of Fort Wayne. It has been prepared in a "menu" style of format to disclose the individual components of the rate increase in order to allow the Common Council the ability to review the independent components of the increase to meet the specific short and long term goals of the City. Each item has been analyzed for its effect on the rate increase as shown in the Schedule of Pro forma Revenue Requirements.

The cash position of the WPC Utility has been deteriorating for several years due to increased costs and increasing debt service requirements. Recently the City implemented a stormwater service user fee which will help mitigate, but will not resolve, this problem. In order for the City to maintain the strong position that it has enjoyed in the municipal finance markets, and in order to maintain its current bond rating, the cash position and financial operations of the WPC Utility will have to be strengthened. This will require a rate increase. The purpose of this report is to assist the City in determining what amount of rate increase is both adequate and required.

The Schedule of Pro forma Revenue Requirements in this Report has been based on the December 31, 1991 financial statements of the WPC Utility. It has been adjusted for fixed, known and measurable changes. The schedule is presented in two sections. The first section adjusts the year ended December 31, 1991 for pro forma adjustments and inflation adjustments. The second section adjusts the pro forma statement for each item that affects rates as discussed above.

## Municipal Consultants

2100 Market Tower  
10 West Market Street  
Indianapolis, Indiana 46204-2976  
(317) 269-6680  
Fax (317) 635-6127

In Partnership with

CROWE CHIZEK

Hon. Paul Helmke

-2-

May 14, 1992

We have grouped the components of the increase into three major categories as follows:

- a. Components related to restoring and maintaining the financial health of the WPC Utility.
- b. Components related to EPA, IDEM or other requirements that must be complied with by the WPC Utility.
- c. Components related to capital improvements.

We appreciate the opportunity to discuss each of these components individually with you and your staff and look forward to presenting this Report to the Common Council. The concepts and contents of this Report have been prepared with the cooperation and assistance of the staff of various departments and divisions of the City including the Office of the Mayor, City Attorney, City Controller, Utility Management, Utility Engineering, Utility Accounting and others. Their hard work and efforts in assisting us in the study and evaluation of the components and approaches in this Report have been sincerely appreciated.

Sincerely,

MUNICIPAL CONSULTANTS



**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Report Methodology**

**Pro forma Revenue Requirements Statement**

The Schedule of Pro forma Revenue Requirements prepared for the Fort Wayne Water Pollution Control Utility is based on a test year for the twelve months ended December 31, 1991 as taken from the financial statements of the utility. It has been adjusted based on the following:

- An inflation factor based on average inflation from 1989 to 1991 as detailed on Exhibit F.
- Since the WPC Utility attempted to keep expenses as low as possible during the test year, various other expense categories were adjusted to "true-up" the test year so that it will fairly represent a typical year. These adjustments were based on a three year average of expenses for each category adjusted.
- A reduction in operating and maintenance expenses of \$500,000 due to the operating and maintenance costs expected to be assumed through the stormwater service fees that were previously borne by the WPC Utility. The stormwater service fees were originally expected to generate \$3,632,332 in annual revenues which would offset over \$1,000,000 in current WPC Utility expenses. This revenue estimate was revised downward more than 40% due to a "small business" rate decrease approved by the Common Council and a revision in the expected number of customers. We analyzed the financial statements of the stormwater service for the City of Fort Wayne for the period ended December 31, 1991 and believe, based on those operating results, that an offset of \$500,000 would more accurately reflect the anticipated contribution to the WPC Utility.
- An adjustment for increased anticipated revenue of \$131,588 due to the industrial customer rate increase approved by the Common Council during 1991.
- An adjustment for increased anticipated revenue of \$180,893 due to the proposed \$.3426 surcharge per one hundred cubic feet for commercial food retailing establishments. See Exhibit E.

The Schedule of Pro forma Revenue Requirements discloses a recommended sewer user fee increase of 36.7%. This is based on a current increase requirement of 14.1% and increases from the "menu" items making up the remainder of the recommended increase. Various factors in the selection of recommended methods for each menu item or in the elimination of menu items could mitigate or increase the total sewer user fee increase. Exhibit B is a summary schedule showing the ranges of rate increase alternatives other than the recommended increase set out herein.

**CITY OF FORT WAYNE, INDIANA**  
Water Pollution Control Utility  
Sewer User Fee Increase

**Report Methodology**

In order to better analyze the effects of the individual menu items on Exhibit B, we eliminated the test year capital expenditures from the revenue requirements statement to present the statement as a "zero base" year. We have, therefore, presented the base increase as 3.2% without capital expenditures and adjusted for certain other changes.

One manner in which a typical municipal rate increase could be mitigated would be to reduce the expense item for depreciation in the WPC Utility by allocating a portion of the Utility-Plant-in-Service (Fixed Asset) figure to stormwater service to represent the cost of the transmission and distribution system which includes the stormwater portion of the combined sewers. The combined sewer system comprises approximately 38% of the total lines in the system. We have estimated that the stormwater portion of the combined sewers approximates 19% of the treatment and distribution system of the WPC Utility or approximately \$18,500,000 in cost. An annual depreciation rate of 2.5% would result in an annual depreciation expense of \$462,500. However, we have used a cash basis analysis of revenue requirements which does not directly recognize depreciation expense and there would, therefore, be no net effect on rates with this option.

An additional mitigating factor would be to allocate a portion of the debt service requirement of the WPC Utility to stormwater service based on the percentage of the issue used for stormwater related projects. Allocating 11% of the 1986 bonds debt service requirement would reduce the WPC Utility base rate increase by approximately .6% as shown on Exhibit B.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Summary**

This Summary shows a graphic analysis of the sewer rate increase being presented to the Common Council and the range of variables within each "menu" item which was analyzed to determine what amount of increase would be recommended to the Common Council. The low and high ranges represent the lowest and highest possible increase based on the item described in the narrative portions of this Report. In many cases we have recommended the lowest possible amount for a particular item. In other cases, the lowest possible amount is not considered prudent to adequately provide for utility operations. However, it is within the discretion of the Common Council to balance the needs of the community with the needs of the utility to determine the most reasonable amount of increase for each menu item. In addition, the elimination of certain programs or options would reduce potential increase even further.

The recommend column represents our best judgment of the manner in which the WPC Utility should proceed for each option described. Items identified with an (A) are components related to restoring and maintaining the financial health of the WPC Utility. Items identified with a (B) are components related to EPA, IDEM or other requirements that must be complied with by the WPC Utility. The item identified with a (C) is the capital improvements plan.

	<u>Low Range</u>	<u>Recommended</u>	<u>Five Year Build-Up</u>	<u>Single Bond Issue</u>	<u>Mixed Build-Up and Bonding</u>	<u>High Range</u>
(A) Base Increase	2.6%	3.2%				3.2%
(A) Return on Investment	1.5%	3.1%				40.3%
(A) Working Capital	4.5%	8.9%				8.9%
(B) Replacement Fund	4.5%	4.5%				6.6%*
(B) Non-Recurring Costs	1.3%	3.4%				4.5%
(B) Sewer Master Plan	1.8%	1.8%				1.8%
(C) Capital Improvement Plan	<u>10.6%</u>	<u>11.8%</u>	<u>32.0%</u>	<u>18.6%</u>	<u>11.8%</u>	<u>32.0%</u>
Total Increase	<u>26.8%</u>	<u>36.7%</u>	<u>56.9%</u>	<u>43.5%</u>	<u>36.7%</u>	<u>97.3%</u>

\* Represents the high range for Federal assets only.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Schedule of Pro forma Revenue Requirements**  
**Year Ended December 31, 1991**

**Section One - Cash Operating Expenses:**

Description:	Year Ended 12/31/91	Pro forma Adjustments	Inflation Adjustments	Pro forma Ref.	12/31/91
Salaries & Wages	\$ 3,201,077	\$ 230,000	\$ 123,519	(1)(2)	\$ 3,554,596
Employee Pensions & Benefits	938,849	61,548	280,111	(1)(2)	1,280,508
Materials & Supplies	909,795		35,482	(1)	945,277
Chemicals	102,584	28,123	5,098	(1)(3)	135,805
Maintenance & Repairs	195,692		7,632	(1)	203,324
Insurance	104,685	54,621	6,213	(1)(4)	165,519
Utilities	1,032,916		40,284	(1)	1,073,200
Outside Services	257,646		10,048	(1)	267,694
Rents & Leases	117,452	27,370	5,648	(1)(5)	150,470
Other Services	407,753		15,902	(1)	423,655
Civil City Allocations	686,806	17,263	27,459	(1)(6)	731,528
Total Operating Expenses	7,955,255	418,925	557,396		8,931,576

**Section Two - Non-operating Cash Outlays:**

Contribution In Lieu of Taxes	606,375	477,109	(7)	1,083,484
Debt Service	3,093,556			3,093,556
Capital Expenditures (old)	1,811,520	(1,811,520)	(10)	0
Net Income/Return (a)		345,708	(11)	345,708
Working Capital (a)		994,407	(11)	994,407
Replacement Fund (b)		500,000	(11)	500,000
Non-recurring Costs (b)		375,000	(11)	375,000
Sewer Master Plan (b)		200,000	(11)	200,000
Capital Improvements (new) (c)		1,277,147	(10)(11)	1,277,147
Total Revenue Requirements	13,466,706	2,776,776	557,396	16,800,878

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Schedule of Pro forma Revenue Requirements**  
**Year Ended December 31, 1991**

Description:	Year Ended <u>12/31/91</u>	Pro forma Adjustments	Inflation Adjustments	Pro forma Ref.	12/31/91
<b>Less Non-Rate Revenues:</b>					
Unrestricted Int. Income	\$ 179,873				\$ 179,873
Master Lease	266,845				266,845
Stormwater Contribution	<u>500,000</u>			(8)	<u>500,000</u>
<b>Requirements From Rates</b>	<u>13,019,988</u>	<u>2,276,776</u>	<u>557,396</u>		<u>15,854,160</u>
<b>Metered &amp; Rate-based Revenues</b>	<u>11,451,440</u>	<u>312,481</u>		(9)	<u>11,763,921</u>
<b>Revenue Deficiency</b>	<u>\$ 1,568,548</u>	<u>\$ 1,964,295</u>	<u>\$ 557,396</u>		<u>\$ 4,090,239</u>
<b>Percent Increase</b>	<u>14.1%</u>				<u>36.7%</u>

The percentage increase is computed on Metered and Rate-based Revenues less the Inbalco capital charge of \$317,614 for a net of \$11,133,826 pro forma revenues since the Inbalco surcharge will not be increased.

- (a) Components related to restoring and maintaining the financial health of the WPC Utility.
- (b) Components related to EPA, IDEM or other requirements that must be complied with by the WPC Utility.
- (c) Capital improvements plan.

**CITY OF FORT WAYNE**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Explanation of Adjustments**

- (1) In order to increase surveillance, five additional inspectors and five additional lab personnel will be hired in 1992. This will cause an increase of \$230,000 in salaries at an average salary of \$23,000 and a corresponding increase of \$61,548 in benefits.
- (2) Inflation adjustments of 3.6% for Salaries and Wages, 28% for Pensions and Benefits and 3.9% for other expense categories (See Exhibit F).
- (3) Chemical expenses were adjusted to a three year average amount as follows:

Actual 1989	\$ 142,210
Actual 1990	147,326
Test Year	<u>102,584</u>
Total	392,120
Three Year Average	130,707
Less: Test Year	<u>102,584</u>
Adjustment	<u>\$ 28,123</u>

- (4) Insurance expenses were adjusted to a three year average amount as follows:

Actual 1989	\$ 225,386
Actual 1990	147,846
Test Year	<u>104,685</u>
Total	477,917
Three Year Average	159,306
Less: Test Year	<u>104,685</u>
Adjustment	<u>\$ 54,621</u>

**CITY OF FORT WAYNE**  
Water Pollution Control Utility  
Sewer User Fee Increase

Explanation of Adjustments

- (5) Rents and Leases expense was adjusted to a three year average amount as follows:

Actual 1989	\$ 151,201
Actual 1990	165,814
Test Year	<u>117,452</u>
Total	434,467
Three Year Average	144,822
Less: Test Year	<u>117,452</u>
Adjustment	<u>\$ 27,370</u>

- (6) Civil City Allocations was adjusted to a three year average amount as follows:

Actual 1989	\$ 679,883
Actual 1990	745,517
Test Year	<u>686,806</u>
Total	<u>2,112,206</u>
Three Year Average	704,069
Less: Test Year	<u>686,806</u>
Adjustment	<u>\$ 17,263</u>

- (7) Contribution in lieu of taxes (CILT) was increased to \$1,083,484 based on the allowable CILT computed as \$125,427,485 net plant in service, times one-third to determine assessed value, times the City tax rate of \$3.2394 per \$100 of assessed value reduced by 20% for property tax replacement credit.
- (8) Other non-rate revenues were increased by \$500,000 to recognize the Stormwater Utility's contribution to the Fort Wayne WPC Utility's operations.

**CITY OF FORT WAYNE**  
Water Pollution Control Utility  
Sewer User Fee Increase

**Explanation of Adjustments**

- (9) Metered and Rate-Based Revenues were adjusted to annualize the increased industrial rates implemented during the year and the projected commercial food retailing establishment surcharge.
- (10) For presentation purposes, the test year capital expenditures were eliminated and a new capital funding approach was considered in lieu of adjusting the existing approach.
- (11) See individual explanations in Exhibit D.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Analysis of Menu Items**

**Return on Investment**

In Indiana, an investor-owned utility (IOU) is given the ability to earn a reasonable return on its rate base. This return is typically measured by factors including the cost of capital and investor expected return expressed as a ratio of the fair value of the rate base. The net operating income expected to be earned by the IOU is then measured against the original cost, depreciated, of the rate base and expressed as a percentage designated "rate of return." The typical range of rate of return for an IOU would be from 7.5% to 10%.

While this type of analysis is not used for a governmentally owned utility, if the WPC Utility were analyzed as an IOU, its return on \$124,456,331 original cost, depreciated, rate base as of September 30, 1991 could range from \$9,334,225 to \$12,445,633. This equates to a rate increase ranging from 81.2% to 108.2% just for the return portion of the increase.

Return provides a build-up of both cash and equity for the entity that can provide several benefits for the utility. Besides the ability to weather periodic downturns in the economy by the use of built-up equity, the utility's bond rating can be favorably affected by having a reasonable return to allow for equity build-up which can reduce the cost of capital and borrowing for the utility. Conversely, allowing cash and equity to erode can adversely affect the bond rating. One of the benefits of surplus cash and equity is the ability to create a fund for future economic development to help match grants or provide financial or infrastructure incentives to attract or retain businesses. Without a solid foundation and an ability to provide infrastructure improvements at the right time, Fort Wayne may not be able to repeat the type of scenario that attracted the General Motors facility to the area.

Return, as measured for a governmental utility, is normally a lower figure than that used for an IOU since there are no investor return pressures on the utility. A city should consider continued viability and financial strength of the utility as the primary return consideration rather than investor return.

This does not mean that a municipal utility does not need a return on investment. Because of the need to fund ever changing State and Federal environmental requirements, increased service demands and provide for economic development for the future, municipal utilities must be able to build an equity in its municipally-owned utilities.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Analysis of Menu Items**

The utility may choose to compute its return as two or three percent of rate base which would increase rates up to 33.5% (but less if a portion of the Utility Plant in Service were allocated to stormwater service); as two to four percent of contributed capital which would increase rates up to 40.3%; as two to four percent of municipal equity which would increase rates up to 3.1%; or as five to ten percent of operating revenues which would increase rates up to 10%.

Our recommendation is based on a return on municipal equity since that is the amount of investment in plant actually contributed by the City of Fort Wayne. By requiring a return on that equity the City is being compensated for the risk in its direct investment. We recommend that an rate of return on municipal capital of 4% be used to generate revenues of \$345,708 for a 3.1% increase in rates.

**Working Capital**

The December 31, 1991 operating cash position of the WPC Utility was over one million dollars. Several times during the year, however, the WPC Utility has been in a negative cash position. While this does not create a bank overdraft due to the use of pooled cash, it reduces the ability of the other funds of the WPC Utility to realize investment earnings and causes cash flow problems. The WPC Utility should consider making up for the interest loss of the other funds, if a positive cash position cannot be realized and maintained.

A cash operating position of a utility should be based on a reasonable accrual and payment of cash outlays based on a lead-lag study or another reasonable basis for the establishment of a working capital requirement. One typical working capital analysis used in municipal utilities in Indiana is a 45-day operating and maintenance expense requirement (or 12.5% of operating and maintenance expenses). The establishment of a working capital balance should be accomplished within one or two years. The WPC Utility's working capital requirement is to have a constant amount of \$994,407 available. The effect on rates to amortize this amount over one year would be 8.9%. The effect on rates to amortize this amount over two years would be 4.5%. Our recommendation is to amortize this amount over one year so that such funds will be available for operations.

**Replacement Fund**

As noted in the WPC Utility report to the Indiana Department of Environmental Management on June 14, 1991, the equipment replacement fund is underfunded according to IDEM guidelines by \$4,769,371. Amortization of this amount was agreed to be accomplished over six and one-half years, the average life of the equipment as part of a grant application. The amount to amortize each year is \$733,749 which represents a 6.6% increase.

**CITY OF FORT WAYNE, INDIANA**  
Water Pollution Control Utility  
Sewer User Fee Increase

**Analysis of Menu Items**

The Fort Wayne WPC Utility also provides for the purchase of replacement equipment through the five-year Capital Improvements Plan. While that Plan appears to be adequate for most routine repairs, it does not provide for emergency replacement of equipment. Emergency replacements of equipment require the delay of a project budgeted in the Capital Improvements Plan or the issuance of debt in order to pay for the project. In order to fully fund a replacement fund to provide for all replacements, the Fort Wayne WPC Utility would need to create a fund of several millions of dollars to cover all potential replacements over the life of the system. We recommend that the WPC Utility continue funding routine replacements through the Capital Improvements Plan, but also provide for increases in the Replacement Fund to provide for emergency repairs.

We have recommended that the WPC Utility provide annual increases of \$500,000 to the Replacement Fund. In addition, if the fund is used for asset replacement or economic development expenditures, we would recommend replacing the amount used over a two year period.

**Non-recurring Costs**

Certain costs that may not be typically recurring must be borne by the Fort Wayne WPC Utility in the ensuing year or have already accrued and must be liquidated within the year. These would include permit requirements for Combined Sewer Overflows and liquidation of an outstanding EPA Grant Audit Finding. These costs could be amortized into the rates on a one year, two year or five year basis. The total requirement would be approximately \$500,000 in the first year and at least \$250,000 in the second year for a total of \$750,000. Amortizing the \$500,000 current requirement would require a rate increase of 4.5%. Amortizing the two year \$750,000 requirement over two years would require a rate increase of 3.4%. Amortizing the two year \$750,000 requirement over five years would require a rate increase of 1.3%.

We have recommend a two year amortization to track the two year requirement.

**Sewer Master Plan**

The WPC Utility last had a comprehensive Sewer Master Plan prepared in 1972 with the last update (on part of the system) in 1984. In order to more adequately plan for capital improvements and help identify where future problems in the system may occur, a current Comprehensive Sewer Master Plan should be prepared. An estimate of the cost of such a plan is approximately \$200,000. Providing for this cost in one year in the rate would cause an increase of 1.8%.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Analysis of Menu Items**

**Capital Improvements Plan Budget**

The Capital Improvements Plan Budget (Exhibit H) has been funded by the WPC Utility through a five year plan in prior years. However, it can also either be borne through a year to year pay-as-you-go or a long-term financing alternative. The annual requirements of the current plan are:

	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
Capital Budget	\$ 1,451,275	\$ 2,753,065	\$ 4,228,065	\$ 4,574,565	\$ 4,806,765

Therefore, a current year need of \$1,451,275 would increase rates 13.0%. A five-year average cost of \$3,562,747 would increase rates 32.0%. Funding these costs through a fifteen year, \$17,900,000 bond issue at 7.5% interest would have average annual debt service cost of \$2,072,803 and would increase rates by 18.6%.

One major problem with an attempt to fund a pay-as-you-go capital improvements plan is that it takes a year to completely fund that amount of extensions and replacements. Therefore, you begin your capital improvements plan one year behind. Funding over a five-year average, where more funds are expected to be expended in the later years, allows a utility to have the initial year's expected disbursements at some point during the first year instead of at the end of the first year.

As an alternative to the selection of any one of the three plans outlined above, the WPC Utility could select a combination of pay-as-you-go and long-term financing. This combination should consider the "normal" amount of extensions and replacements that the WPC Utility should be providing from annual rates and fund the remaining projects in the Capital Improvements Plan through debt issuance. In addition, the debt issuance for these long-term projects could either be financed at a single time by one large issue or funded through annual or biannual issues sized for appropriate annual or biannual needs. If the smaller issue approach were to be used, the WPC Utility should consider financing through the Indiana Bond Bank in order to save issuance costs on multiple issues.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Analysis of Menu Items**

A "normal" amount of extensions and replacements for a utility can vary with the size and age of the system; however, we believe that a range near 10% of annual revenues should be considered normal. This would provide a range from one to one and one-half million dollars as the "normal" amount of extensions and replacements to be funded from annual rates. On this basis, the Capital Improvements Plan shown above could be funded as follows:

	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
Capital Budget	\$ 1,451,275	\$ 2,753,065	\$ 4,228,065	\$ 4,574,565	\$ 4,806,765
Less: Amount Financed from Rates	<u>1,151,275</u>	<u>1,335,065</u>	<u>1,450,065</u>	<u>1,128,565</u>	<u>1,320,765</u>
Amount to be Financed With Bond Issue	<u>\$ 300,000</u>	<u>\$ 1,418,000</u>	<u>\$ 2,778,000</u>	<u>\$ 3,446,000</u>	<u>\$ 3,486,000</u>

Therefore a current year (amount to be financed from rates) need of \$1,151,275 would increase rates 10.3%. A five-year average cost (amount to be financed from rates) of \$1,277,147 would increase rates 11.5%.

Those amounts to be financed from rates would have to be supplemented through either a single fifteen year, \$11,500,000 bond issue at 7.5% interest that would have average annual debt service cost of \$1,331,442, and would increase rates by 12.0%, or by a first year \$300,000 bond issue at 7.5% interest that would have an average annual debt service cost of \$34,825 and would increase rates by .3% in the first year. (Note that a second year small bond issue of \$1,418,000 would have an average annual debt service cost of \$164,153 and increase rates an additional 1.5%). A summary of the total increase would be:

Current year financing with a single \$11,500,000 bond issue - 22.3% increase. Current year financing with multiple bond issues - 10.6% increase in the first year with an additional 1.5% increase in the second year. Five year financing with a single \$11,500,000 bond issue - 23.8% increase. Five year financing with multiple bond issues - 11.8% increase in the first year with an additional 1.5% increase in the second year.

We have recommended that the City use the 10% of revenue Capital Improvement Plan method supplemented when necessary by small bond issues in each year or in every other year as major projects that cannot be funded from rates are required (See Exhibit I). Therefore the initial increase required would increase rates 11.8%.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Commercial Food Retailing Establishments**  
**Extra-Strength Surcharge**

As a part of the industrial and commercial customer sewer fee increase in 1991, the WPC Utility changed its strength-of-waste surcharges and charges for monitoring and sampling waste (surveillance charge). One test used in the sampling procedures is called a Fat, Oils and Grease (FOG) test. The standard for the FOG test, as provided in the City of Fort Wayne Code of Laws Chapter 24, Article III, Section 24-16(b), is less than 100 milligrams per liter. The WPC Utility management has determined that a large percentage of commercial food retailing establishments are currently unable to pass the current FOG test at 100 milligrams per liter and that the average treatment cost for treating the extra-strength waste of these customers is 34.26 cents per one hundred cubic feet. The WPC Utility management believes that most of these establishments would be able to comply with a FOG test of 200 milligrams per liter. It is, therefore, recommended that the City Council amend the Code to provide for a standard of 200 milligrams per liter of fats, oils and grease for commercial food retailing establishments and impose a processing surcharge of 34.26 cents per one hundred cubic feet on all such establishments.

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Proposed Sewer User Charge Increase**

**Calculation of Inflation Adjustment**

Description	<u>1991</u>	<u>1990</u>	<u>1989</u>
Total Salaries & Wages	\$ 3,201,077	\$ 3,193,515	\$ 2,986,915
Annual Increase	0.3%	6.9%	
Average Increase	3.6%		
Total Pensions & Benefits	\$ 938,849	\$ 793,082	\$ 575,442
Annual Increase	18.4%	37.8%	
Average Increase	28.1%		
<b>Non-Salary and Benefit Related:</b>			
Materials & Supplies	\$ 909,795	\$ 959,042	\$ 732,899
Chemicals	102,584	134,767	142,210
Maintenance & Repairs	195,692	182,548	174,890
Insurance	104,685	147,846	225,386
Utilities	1,032,916	968,307	994,290
Outside Services	257,646	132,142	261,137
Rents & Leases	117,452	165,814	151,201
Other Services	407,753	263,315	152,133
Total	<u>3,128,523</u>	<u>2,953,781</u>	<u>2,834,146</u>
Annual Increase	3.6%	4.2%	
Average Increase	3.9%		

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**  
**Sewer User Fee Increase**

**Schedule of Proposed Rates and Charges**

**36.7% Across-the-Board Increase**

**Service Charge (Cents per 100 Cubic Feet)**

	<u>Present Rates</u>	<u>Proposed Rates</u>
Total User Charge	75.18	102.77

**Minimum Charges**

<u>Water Meter Size</u>	<u>Factor</u>	<u>Minimum Charge</u>
5/8 - 3/4"	1.0	\$ 5.14
1 - 1 1/2"	3.41	17.52
2"	7.049	36.22
3"	14.175	72.84
4"	23.565	121.09
6" or Larger	65.425	336.19

**Flat Charge**

	<u>In City</u>	<u>Outside City</u>
	\$ 10.28	\$ 12.30

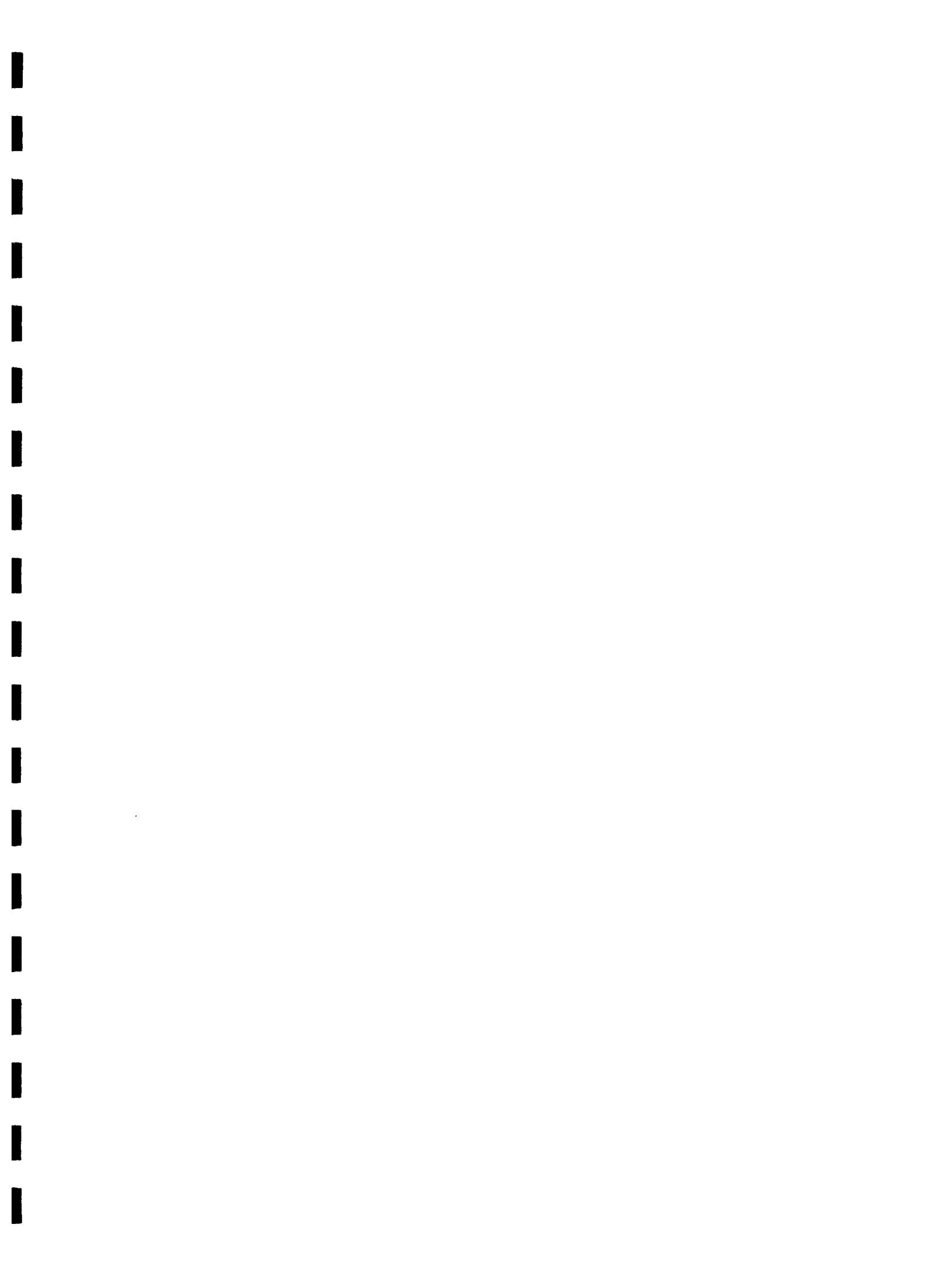
**CITY OF FORT WAYNE, INIANA**  
**Water Pollution Control Utility**  
**Capital Improvement Plan**

	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>Total</u>
Hacienda Village Sanitary Lagoon Drain Line Replacement	\$ 351,000	\$ 225,000	\$ 250,000	\$ .	\$ .	\$ 351,000
Inbalco System Rehabilitation Equipment	225,000					225,000
Engineering Maintenance Plant	5,000 61,800 25,000	10,000 65,000	5,000 134,000	10,000 132,000	5,000 177,000	15,000 81,800 533,000
Rolling Stock						
Engineering Maintenance Plant	12,000 334,500 17,500 8,000	257,500 276,000 322,265	12,000 216,000 322,265	196,000 143,000	24,000 1,021,500 507,000	
Miscellaneous Oversizing City Utilities Building Combined Sewer Overflow Monitoring Combination Sewer Modifications	50,000	50,000 322,265	50,000 322,265	50,000 322,265	75,000 322,265	275,000 1,289,060
North River Road Hillcrest Relief Sewer St. Joe Interceptor System Rehab.		78,300	93,300	78,300	78,500	328,400
Farifield Neighborhood Separation					860,000	860,000
Pauline St. River Crossing Rehab.			200,000	200,000	250,000	650,000
Main Street Area Rehabilitation						
Pump Station Elimination					150,000	150,000
Misc. General Plant Improv.	65,000	53,000	47,000	23,000	24,000	212,000
Retrofit Lift Station		70,000	70,000	70,000		210,000
Raw Sewage Pump Engine Replace.			330,000			330,000
Building Modification	50,000					50,000
Discharge Channel Water Removal System				1,000,000		1,000,000
Indus. Surv. Facility Mod.		50,000			2,000,000	2,000,000
<u>Subtotal</u>	<u>1,083,300</u>	<u>1,310,065</u>	<u>2,785,065</u>	<u>3,113,565</u>	<u>3,495,765</u>	<u>11,787,760</u>
Sludge Modification						
Phase I Rolling Stock	300,000	300,000	300,000	300,000	300,000	1,500,000
Digestor Work		918,000				1,836,000
Phase II Sludge Thickening				936,000	936,000	1,872,000
Phase III Rolling Stock						
Contingency		150,000	150,000	150,000		450,000
<u>Subtotal</u>	<u>300,000</u>	<u>1,368,000</u>	<u>1,368,000</u>	<u>1,368,000</u>	<u>1,236,000</u>	<u>5,658,000</u>
Administrative	67,975	75,000	75,000	75,000	75,000	367,975
<b>Total</b>	<b>\$ 1,451,275</b>	<b>\$ 2,753,065</b>	<b>\$ 4,228,065</b>	<b>\$ 4,574,565</b>	<b>\$ 4,806,765</b>	<b>\$ 17,813,735</b>

**CITY OF FORT WAYNE, INDIANA**  
**Water Pollution Control Utility**

**Capital Improvement Plan**

	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>Total</u>
<b>Amount to be funded from rates:</b>						
Hacienda Village Sanitary	\$ 351,000	\$	\$	\$	\$	\$ 351,000
Lagoon Drain Line Replacement	225,000					225,000
Inbalco System Rehabilitation	225,000	250,000				475,000
Equipment						
Engineering	5,000		5,000		5,000	15,000
Maintenance	61,800	10,000		10,000		81,800
Plant	25,000	65,000	134,000	132,000	177,000	533,000
Rolling Stock						
Engineering		12,000		12,000		24,000
Maintenance	17,500	334,500	257,500	216,000	196,000	1,021,500
Plant	8,000	15,000	276,000	65,000	143,000	507,000
Miscellaneous Oversizing	50,000	50,000	50,000	50,000	75,000	275,000
City Utilities Building		322,265	322,265	322,265	322,265	1,289,060
Combined Sewer Overflow Monitoring		78,300	93,300	78,300	78,500	328,400
Combination Sewer Modifications			50,000	75,000	75,000	200,000
North River Road			70,000			70,000
Pump Station Elimination					150,000	150,000
Miscellaneous General Plant						
Impro	65,000	53,000	47,000	23,000	24,000	212,000
Retrofit Lift Station		70,000	70,000	70,000		210,000
Building Modification	50,000					50,000
Administrative	67,975	75,000	75,000	75,000	75,000	367,975
Amount to be funded from rates	<u>1,151,275</u>	<u>1,335,065</u>	<u>1,450,065</u>	<u>1,128,565</u>	<u>1,320,765</u>	<u>6,385,735</u>
<b>Amount to be financed:</b>						
Sludge Modification						
Phase I Rolling Stock	300,000	300,000	300,000	300,000	300,000	1,500,000
Digester Work		918,000	918,000			1,836,000
Phase II Sludge Thickening				936,000	936,000	1,872,000
Contingency		150,000	150,000	150,000		450,000
Subtotal	300,000	1,368,000	1,368,000	1,386,000	1,236,000	5,658,000
Hillcrest Relief Sewer			550,000			550,000
St. Joe Interceptor System Rehab.			200,000	200,000	250,000	650,000
Farifield Neighborhood Separation				860,000		860,000
Raw Sewage Pump Engine Replace.			330,000			330,000
Discharge Channel				1,000,000		1,000,000
Water Removal System					2,000,000	2,000,000
Indus. Surv. Facility Mod.		50,000	330,000			380,000
Amount to be financed	<u>300,000</u>	<u>1,418,000</u>	<u>2,778,000</u>	<u>3,446,000</u>	<u>3,486,000</u>	<u>11,428,000</u>
Total Capital Improvements Plan	<u>\$ 1,451,275</u>	<u>\$ 2,753,065</u>	<u>\$ 4,228,065</u>	<u>\$ 4,574,565</u>	<u>\$ 4,806,765</u>	<u>\$ 17,813,735</u>





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

July 21, 1992

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of July 24 and July 31, 1992, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-92-05-27 (as amended)  
General Ordinance No. G-35-92

Sewer and Sewerage System

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

Notice is hereby given that on the 14th day of  
July, 1992, the Common Council of the City  
of Fort Wayne, Indiana, in a Regular Session did pass  
the following Bill No. G-92-05-27 (as amended) General  
Ordinance No. G-35-92 to-wit:

**BILL NO. G-92-05-27 (as amended)**

**GENERAL ORDINANCE NO. G-35-92**

**AN ORDINANCE AMENDING CHAPTER 24, "SEWERS  
AND SEWERAGE SYSTEM," OF THE CITY OF FORT  
WAYNE CODE OF LAWS, (GENERAL ORDINANCE  
NO. 5-25-91.)**

WHEREAS, I.C. 36-9-23-25 provides that rates charged  
the users of the Fort Wayne Water Pollution Control Utility  
for sewage services shall be established by the Common Council  
of the City of Fort Wayne; and

WHEREAS, the Common Council of the City of Fort  
Wayne has heretofore enacted a User Charge System and a Sewer  
Use Ordinance as contained in Chapter 24 of the Fort Wayne  
Municipal Code; and,

WHEREAS, Chapter 24 of the Fort Wayne Municipal Code  
calls for an annual review of the Water Pollution Control  
Utility's current service charges and surcharges by the Board  
of Public Works; and,

WHEREAS, the City of Fort Wayne engaged the services  
of Municipal Consultants to review the current financial  
position of the Water Pollution Control Utility; and,

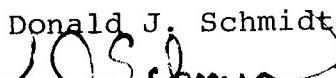
WHEREAS, Municipal Consultants has prepared and  
submitted to the City of Fort Wayne the results of the above-  
mentioned review and has made recommendations therein  
regarding adjustments to the current Water Pollution Control  
Utility rates and charges, said report being dated May 14,  
1992; and

WHEREAS, upon review of said report and  
recommendations, the Common Council of the City of Fort Wayne,  
in accordance with I.C. 36-9-23-25, as amended, now finds that  
existing rates and charges for the use of and services  
rendered by the Water Pollution Control Utility do not provide  
sufficient revenue to:

- (a) Pay all expenses incidental to the operation of the  
works, including legal expenses, maintenance costs,  
operating charges, repairs, lease rentals, and  
interest charges on bonds or other obligations;

1 SECTION 2. That this Ordinance shall be in full force and  
2 effect from and after its passage, and any and all necessary  
3 approval by the Mayor and due legal publication thereof.  
4

Donald J. Schmidt

  
Council Member

Read the third time in full and on motion by Schmidt, and  
duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine  
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey,  
Ravine, Schmidt, Talarico  
Nays: None  
Absent: None  
Abstained: None

DATED: 7-14-92 Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as General Ordinance No. G-35-92 on the 14th day of  
July, 1992.

ATTEST: SEAL

Sandra E. Kennedy Thomas C. Henry  
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 15th day of July, 1992, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

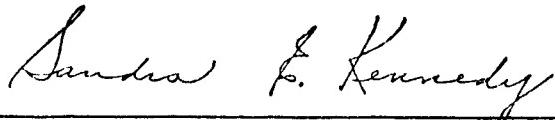
Approved and signed by me this 15th day of July, 1992, at the  
hour of 1:30 o'clock P.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify  
that the above and foregoing is a full, true and complete copy of  
General Ordinance No. G-35-92,  
passed by the Common Council on the 14th day of  
July, 1992, and that said Ordinance was  
duly signed and approved by the Mayor on the 15th day of  
July, 1992, and now remains on file and  
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,  
Indiana, this 15th day of July, 1992.

SEAL

  
SANDRA E. KENNEDY, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

June 2, 1992

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of June ~~A~~, 1992, in both the News Sentinel and Journal Gazette.

RE: Legal Public Hearing for  
Common Council of Fort Wayne, IN

Bill No. G-92-05-27  
Sewer & Sewerage Rates & Charges

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,  
*Sandra E. Kennedy*

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

NOTICE OF HEARING  
ON PROPOSED INCREASE OF SEWER AND  
SEWERAGE UTILITY RATES AND CHARGES

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on May 26, 1992, the Common Council introduced Bill No. G-92-05-27 proposing to amend Chapter 24 of the Municipal Code. The proposed Ordinance provides for an increase of the sewer utility rates and charges in the City of Fort Wayne. Adjusted rates are projected to provide sufficient revenues for operation of the utility as provided in I.C. 36-9-23-25. The proposed Ordinance adds several terms to the definitions of Sections of Chapter 24 and also amends the permitted levels of fat, oils and greases to be discharged into the sewerage system by restaurants and concurrently provides for an extra-strength surcharge.

At a meeting of the Common Council to be held at 7:00 P.M. (Fort Wayne Time) on June 23, 1992, in Room 126 of the City-County Building, there will be a public hearing on the above described amendments. The Council, after consideration of information presented at said hearing and deliberation on the issue may adopt or modify and adopt, the proposed rate structure and related amendments to Chapter 24 of the Municipal Code. A complete copy of Bill No. G-92-05-27 is available for public inspection in the Office of the City Clerk, Room 122 of the City-County Building.

Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

*Sandra E. Kennedy*

# Fort Wayne Newspapers, Inc.

NEWS PUBLISHING CO.  
AGENT: JOURNAL-GAZETTE CO.

600 W. MAIN ST. - P.O. BOX 100  
FORT WAYNE, INDIANA 46801-0100

MAKE CHECKS PAYABLE TO:  
Fort Wayne Newspapers, Inc.

AIM823E

## LEGAL INVOICE

ACCOUNT # <b>60008</b>	STATEMENT DATE <b>8/14/92</b>
---------------------------	----------------------------------

TERMS--CASH

FT WAYNE NEWSPAPERS INC  
BOX 100  
600 W. MAIN ST  
FT WAYNE IN, 46801-0100

FORT WAYNE COMMON COUNCIL  
ROOM 122 CITY COUNTY BLDG.  
ONE MAIN STREET  
FORT WAYNE IN 46802-1804

**AMT DUE**

**878.16**

AMT PAID

CHECK NO.

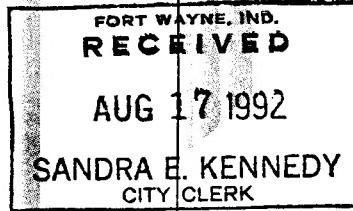
**15000 2000 11:**

INVOICE NO.	COST
IF8786-	878.16

**Please Return Top Portion With Payment**

### PUBLICATION OF LEGAL NOTICES

DATE	INVOICE NO.	DESCRIPTION	LINES 6PT.	RATE	COST
7/24,31/92	IF87865	JOURNAL GAZETTE BILL #G-92-05-27 1 ADDITIONAL COPY  NEWS SENTINEL BILL #G-92-05-27 1 ADDITIONAL COPY	885.00 885.00	.495 .495	438.08 1.00 438.08 1.00



*Send the  
bill to  
Controller*

CUSTOMER ACCOUNT #

60008  
FORT WAYNE COMMON COUNCIL  
8/14/92

878.16
TOTAL
AMT DUE

IF YOU HAVE ANY QUESTIONS, PLEASE CALL: (219) 461-8438

F.W. Common Council

(Governmental Unit)

To:

The News-Sentinel

Dr.

Allen

County, Indiana

P.O. Box 100

Fort Wayne, IN

**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
 -- number of equivalent lines \_\_\_\_\_

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice \_\_\_\_\_

**COMPUTATION OF CHARGES**

34 lines, 1 columns wide equals 34 equivalent lines  
 at .33 cents per line

\$ 11.22

Additional charge for notices containing rule or tabular work  
 (50 percent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_

**TOTAL AMOUNT OF CLAIM**

\$ 11.22

**DATA FOR COMPUTING COST**

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Bonnie McNeal*

Date: June 5, 1992

Title: Clerk

**PUBLISHER'S AFFIDAVIT**

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Bonnie McNeal who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time \_\_\_\_\_, the dates of publication being as follows:

06/05/92

*Bonnie McNeal*Subscribed and sworn to before me this 5th day of June, 19 92.

*Shelley R. Larue*  
 Notary Public Whitley County, IN  
 SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF HEARING  
 ON PROPOSED INCREASE OF SEWER AND  
 SEWERAGE UTILITY RATES AND CHARGES  
 Property owners and other interested parties in the  
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 charged into the sewerage system by restaurants  
 and concurrently provides for an extra-strength sur-  
 charge.  
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 7:00 P.M. (Fort Wayne Time) on June 23, 1992, in  
 Room 126 of the City-County Building, there will be  
 a public hearing on the above described amend-  
 ments. The Council, after consideration of informa-  
 tion presented at said hearing and deliberation on  
 the issue may adopt or modify and adopt, the pro-  
 posed rate structure and related amendments to  
 Chapter 24 of the Municipal Code. A complete copy  
 of Bill No. G-92-05-27 is available for public inspection  
 in the Office of the City Clerk, Room 122 of the  
 City-County Building.

Fort Wayne Common Council  
 Sandra E. Kennedy  
 City Clerk

F.W. Common Council

(Governmental Unit)

To: The Journal-Gazette Dr.Allen County, IndianaP.O. Box 100  
Fort Wayne, IN**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
 -- number of equivalent lines \_\_\_\_\_

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\$ 11.22

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 (50 percent of above amount) \_\_\_\_\_

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**TOTAL AMOUNT OF CLAIM**\$ 11.22**DATA FOR COMPUTING COST**Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Bonnie McNealDate: June 5, 19 92

Title: \_\_\_\_\_

**Clerk****PUBLISHER'S AFFIDAVIT**

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Bonnie McNeal who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time \_\_\_\_\_, the dates of publication being as follows:

06/05/92Bonnie McNealSubscribed and sworn to before me this 5th day of June, 19 92.

Shelley Larue  
 Notary Public Whitley County, IN  
 SHELLEY R. LARUE

My commission expires: March 3, 1994